

DAC

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
 Kakefuda, et al.)
) Art Unit: **1645**
Serial No. **09/893,033**)
)
Filed: **June 27, 2001**)
)
For: **Cyanobacterial Nucleic Acid Fragments**)
 Encoding Proteins Useful for Controlling)
 Traits Via Nuclear or Plastome)
 Transformation)

STATUS INQUIRY

BOX STATUS NO FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned attorney for the applicants identified above requests a written indication of the status of processing of this application.

A postcard receipt returned to the undersigned shows the Patent Office received the nonprovisional patent application on June 27, 2001. The undersigned received a returned postcard indicating that the Patent Office received a Preliminary Amendment on January 25, 2002. The Official Filing Receipt was mailed to the undersigned on August 22, 2001. In addition, the undersigned received a returned postcards indicating that the Patent Office received an Information Disclosure Statement and Supplemental Information Disclosure Statement on September 30, 2002 and June 11, 2003, respectively. A postcard receipt returned to the undersigned shows the Patent Office received a Submission of Substitute Powers of Attorneys

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Status No Fee, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on October 31, 2003.

Elizabeth Cary Miller
Elizabeth Cary Miller - 54,708

AO 1010838.1

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OFFICE OF PETITIONS

Serial No. 09/893,033
Filed: June 27, 2001
Status Inquiry

and Request for Change of Correspondence Address on May 2, 2003, June 30, 2003, and August 18, 2003, respectively. The undersigned received a returned postcard indicating that the Patent Office received an assignment and the Recordation Form Cover Sheet on June 30, 2003.

On August 4, 2003, Agent for Applicant filed a Petition to Revive an Application Unintentionally Abandoned for failure to Prosecute; a Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures; a Sequence Identification Listing in paper and computer readable form; and a Statement to Support Filing and Verification of the Sequence Listing. Applicant encloses herewith copies of the filed documents, without the CRF of the Sequence Listing, and a copy of the postcard for the same. The postcard was not returned to the undersigned.

The undersigned has heard nothing further of substance from the Office in this matter, and requests an indication of the status of examination of this application.

Respectfully submitted,



By: Elizabeth Cary Miller
Reg. No. 54,708

Date: **October 31, 2003**

SUTHERLAND ASBILL & BRENNAN LLP
999 Peachtree Street, NE
Atlanta, Georgia 30309-3996
(404) 853-8141

Attorney Docket No.: 16313-0130

THE U.S.P.T.O. OFFICIAL MAILROOM STAMP AFFIXED HERETO
ACKNOWLEDGES RECEIPT OF THE ITEMS LISTED BELOW:

Inventor(s): Kakefuda et al.
Serial No. 09/893,033 Filed: June 27, 2001
Title: Cyanobacterial Nucleic Acid Fragments Encoding Proteins Useful For
Controlling Traits Via Nuclear or Plastome Transformation

Papers Submitted: Response to Notice to Comply with Requirements for Patent Applications Containing
Nucleotide Sequence and/or Amino Acid Sequence Disclosures (in duplicate); Part 2-Return Copy; Statement
to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821-1.825; Sequence Identification
Listing (six (6) pages); Preliminary Amendment with certificate of mailing, a copy of the diskette; Petition
Under 37 CFR §1.137(b) for Revival of an application Unintentionally Abandoned for Failure to Prosecute
with certificate of mailing; and a check for \$1,300.00.

Attorney: WLW/em
Date Mailed: August 4, 2003
SAB Docket No.: 16313-0130
AO 955816.1



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IN THE U.S. PATENT AND TRADEMARK OFFICE

Docket No. 16313-0130

Application of:

Kakefuda, et al.

Serial No. 09/893,033



Filed: June 27, 2001

For: Cyanobacterial Nucleic Acid Fragments Encoding Proteins Useful for Controlling Traits Via Nuclear or Plastome Transformation

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Sir:


Transmitted herewith are papers in the above-identified application.

- ☒ Part 2- Return Copy – Notice to Comply with Requirements for Sequence Disclosures.
- ☒ Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821-1.825.
- ☒ Sequence Identification Listing – an initial paper and new computer readable form.
- ☒ Copy of the diskette.
- ☒ Preliminary Amendment requesting entry of Sequence Identification Listing.
- ☒ Petition Under 37 C.F.R. §1.137(b) for Revival of an Application Unintentionally Abandoned for Failure to Prosecute, along with a check for \$1,300.00.
- ☒ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16, or credit any overpayment, to Account No. 19-5029. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 4, 2003.


William L. Warren – Reg. No. 36,714

SUTHERLAND ASBILL & BRENNAN LLP
999 Peachtree Street, NE
Atlanta, Georgia 30309-3996
Telephone: 404-853-8000

By: 
William L. Warren - Reg No. 36,714

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

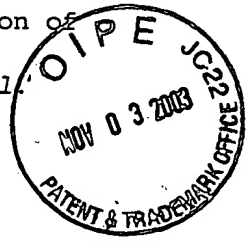
Atty. Docket No: BASF 100,100 PRV

In re patent application of

KAKEFUDA, GENICHI et al.

Serial No. 09/893,033

Filed: June 27, 2001



For: CYANOBACTERIAL NUCLEIC ACID FRAGMENTS ENCODING PROTEINS USEFUL FOR CONTROLLING PLANT TRAITS VIA NUCLEAR OR PLASTOME TRANSFORMATION

STATEMENT TO SUPPORT FILING AND SUBMISSION IN
ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825

Assistant Commissioner for Patents
Washington, D.C. 20231
Box SEQUENCE

Sir:

In connection with a Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

1. the submission, filed herewith in accordance with 37 C.F.R. § 1.821(g), does not include new matter;
2. the content of the attached paper copy and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same; and
3. all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United

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Serial No. 09/893,033

States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Respectfully submitted,

July 31, 2001
Date

HARBOR CONSULTING
Intellectual Property Services
1500A Lafayette Road
Suite 262
Portsmouth, N.H.
800-318-3021

James A. Coburn
James A. Coburn



Applicant:

Genichi Kakefuda *et al.*

Filed:

June 27, 2001

Title:

CYANOBACTERIAL NUCLEIC ACID FRAGMENTS
ENCODING PROTEINS USEFUL FOR ...

Please acknowledge receipt of the following:

-Certificate of Express Mailing Dated:

June 27, 2001 (Exp. Label No. EJ 732019223 US). **Two(52)**

-NEW PATENT APPLICATION INCLUDING: Fifty-~~Three~~ (53) Pages of
SPECIFICATION, ~~One~~ **Two(52)** Page of CLAIMS, One (1) Page of ABSTRACT
and Fifteen (15) Pages of DRAWINGS.

-CHECK FOR \$790.00.

-NEW APPLICATION TRANSMITTAL SHEET.

TS/BASF 100,100-01

11000 U.S. PRO
09/893033



06/27/01

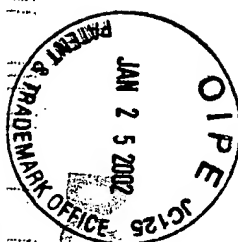
DO NOT REUSE



Applicants: American Cyanamid Company
Serial No.: 09/893,033
Filed: 27 June, 2001
Title: CYANOBACTERIAL NUCLEIC ACID FRAGMENTS ENCODING
PROTEINS USEFUL FOR...

Please acknowledge receipt of the following:
-PRELIMINARY AMENDMENT
-Certificate of Mailing dated 12/26/01
-Check in the Amount of \$1626.00

EL/ BASF 100,100-01



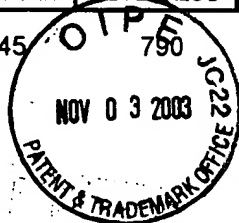


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FILED REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/893,033	06/27/2001	1645	790	BASF 100,100	15	10	4

23566
OSTRAGER CHONG & FLAHERTY LLP
825 THIRD AVE
30TH FLOOR
NEW YORK, NY 10022-7519



AUG 24

CONFIRMATION NO. 3401

FILING RECEIPT



OC00000006457020

Date Mailed: 08/22/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Genichi Kakefuda, Residence Not Provided;
Hans-Ulrich Koop, Residence Not Provided;
Stephen Sturner, Residence Not Provided;
Rui-Guang Zhen, Residence Not Provided;

DOCKED

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/214,705 06/27/2000

Foreign Applications

If Required, Foreign Filing License Granted 08/21/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

N n-Publication Request: No

Early Publication Request: No

Title

Cyanobacterial nucleic acid fragments encoding proteins useful for controlling plant traits via nuclear or plastome transformation



AO 788301.1





THE U.S.P.T.O. OFFICIAL MAILROOM STAMP AFFIXED HERETO ACKNOWLEDGES
RECEIPT OF THE ITEMS LISTED BELOW:

Inventor(s): Genichi Kakefuda, et al.

Serial No. 09/893,033

Filed: June 27, 2001

Title:

Cyanobacterial Nucleic Acid Fragments Encoding Proteins Useful for
Controlling Plant Traits Via Nuclear or Plastome Transformation

Submission of Substitute Power of Attorney and Request for Change of
Correspondence address with certificate of mailing and Substitute
Power of Attorney

Attorney: W/LW/enm

Date Mailed: April 28, 2003

Docket: 16313-0130
AO 788301.1





THE U.S.P.T.O. OFFICIAL MAILROOM STAMP AFFIXED HERETO ACKNOWLEDGES
RECEIPT OF THE ITEMS LISTED BELOW:

Inventor(s): Genichi Kakefuda, et al.

Serial No. 09/893,033

Filed: June 27, 2001

Title: Cyanobacterial Nucleic Acid Fragments Encoding Proteins Useful for Controlling Plant Traits Via Nuclear or Plastome Transformation

Papers Submitted:

Supplemental Information Disclosure Statement with certificate of mailing; two pages of Form PTO-1449 of 25 cited references.

Attorney:

WLW/enm

Date Mailed:

June 9, 2003

Docket:

16313-0130

AO 879461.1

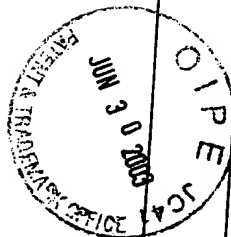




The "received" stamp of the Patent Office imprinted hereon will acknowledge receipt of:

Applicants:	Kakefuda, et al.	
Application No.	09/893,033	Docket No.: 16313-0130
Filing Date:	June 27, 2001	
Title:	CYANOBACTERIAL NUCLEIC ACID FRAGMENTS ENCODING PROTEINS USEFUL FOR CONTROLLING PLANT TRAITS VIA NUCLEAR OR PLASTOME TRANSFORMATION PAPERS SUBMITTED:	
1. Response to Notice Regarding Power of Attorney.		
2. Submission of Substitute Power of Attorney.		
3. Copy of Notice Regarding Power of Attorney and Request For Change of Correspondence Address.		
4. Certificate Under 37 C.F.R. § 3.73(b).		
5. Copies of assignment documents from inventors: Genichi Kakefuda, Hans Ulrich-Koop, Rui-Guang Zhen, and Stephen Sturmer.		
By:	William L. Warren, Reg. No. 36,714	
Date:	June 27, 2003	
		WLW/dia

AO 936811.1



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The "Received" stamp of the Patent Office imprinted hereon will acknowledge receipt of:

Applicants:	Kaketuda, et al.
Application No.	09/893,033
Filing Date:	June 27, 2001
Docket No.:	16313-0130
Title:	CYANOBACTERIAL NUCLEIC ACID FRAGMENTS ENCODING PROTEINS USEFUL FOR CONTROLLING PLANT TRAITS VIA NUCLEAR OR PLASTOME TRANSFORMATION
PAPERS SUBMITTED:	
1.	Recordation Form Cover Sheet
2.	Assignment documents (8 sheets)
3.	Check For \$40 To Cover recordation fee.
4.	
5.	
By:	William L. Warren, Reg. No. 36,714
Date:	June 27, 2003
	WLW/dia

AO 936811.2

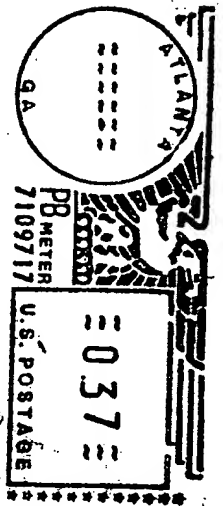
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JUN 30 AM 7:41
FINANCE SECTION

999 Peachtree Street, NE
Atlanta GA 30309-3996

**Sutherland
Asbill &
Brennan LLP**
ATTORNEYS AT LAW



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THE U.S.P.T.O. OFFICIAL MAILROOM STAMP AFFIXED HERETO ACKNOWLEDGES
RECEIPT OF THE ITEMS LISTED BELOW:

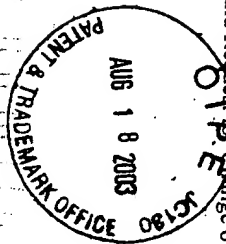
Inventor(s): Genichi Kakefuda, et al.

Serial No. 09/893,033 Filed: June 27, 2001

Title: Cyanobacterial Nucleic Acid Fragments Encoding Proteins Useful for
Controlling Plant Traits Via Nuclear or Plastome Transformation

Papers Submitted: Request to Correct Notice of Acceptance of Power of Attorney with
certificate of mailing and copy of a corrected Notice of Acceptance of Power of Attorney with
corrections that remain to be made noted in red; copy of a Substitute Power of Attorney; and
copy of Submission of Substitute Power of Attorney and Request for Change of Correspondence
Address.

Attorney: ECM/enn
Date Mailed: August 14, 2003
Docket: 16313-0130
AO 957252.1



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